

NO. 433.

Mr. Edwards presented a bill to incorporate the Weldon Rail Road Company. Mr. Morehead proposed an amendment making the subscribers individually responsible for the amounts of their stock, which was rejected 20 to 18. The bill then passed.

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three readings, and was ordered to be engrossed.

The proposed bill to incorporate the Potomac Company in Fayetteville, passed its final reading, and was ordered to be engrossed.

The bill to authorize the laying off and establishing a turnpike road from Cool creek, in Rutherford county to Thomas Foster's, in Brunswick, was read the second time.—Mr. Reid moved to strike out the clause authorizing a State subscription of one hundred shares; which was agreed to, 30 to 10. The bill was then read the third time, passed, and ordered to be sent to the Commons for concurrence.

Mr. Morehead presented resolutions requiring the Board of Internal Improvement to cause a survey to be made, from some eligible point in the Fayetteville and Western Rail Road (as soon as the same shall be located) to Greensborough, with an estimate of the cost of constructing a road from those points, to be laid before the next Legislature; which passed its three readings, and were ordered to be engrossed.

Mr. Moore submitted Resolutions directing a like survey and estimate from some point on said road to Salem, which passed three readings, and were ordered to be engrossed.

HOUSE OF COMMONS.

Wednesday, Jan. 2.

The bill authorizing Justices of the Peace in certain counties to class themselves for the purpose of holding the County Courts, was taken up, and after an ineffectual attempt to postpone to the 15th of January, passed its third reading and was ordered to be engrossed.

Bills presented.—By Mr. H. C. Jones, to incorporate the Yadkin and Columbia Rail Road Company; by Mr. Crawford, to incorporate the Town of Mocksville in Davie county; by Mr. Paize, to add the proceeds of the Sales of Cherokee Lands to the Literary Fund. These bills were severally read the first time and passed.

Mr. Winston, from the Committee on the Judiciary, reported unfavorably on the bill to compensate owners of Slaves executed for capital offences, when said bill was laid on the table.

Evening Session.

The Resolution heretofore introduced by Mr. Boyden, declaring that "the creditors of deceased persons, in case of a deficiency of assets, ought to receive a pro rata payment without regard to the dignity of their claims," was called up for consideration.—Mr. Reid moved that it be postponed indefinitely, which was decided in the negative.—Yess 25, Nays 70. Mr. Tomlinson moved that it lie on the table which was carried.—Yess 55, Nays 41.

Thursday, Jan. 3.

Mr. Hill called up for consideration the bill for the establishment of Common Schools, and after debate and its being amended, it was laid on the table and ordered to be printed.

The engrossed bill for the relief of the Raleigh and Gaston Rail Road Company was read the second time. Mr. Ford Taylor moved for its indefinite postponement.—The question thereon was determined in the negative 62 to 41. Mr. Boyden moved to strike out that section of the bill which binds the private property of the Stockholders.—The question thereon was decided in the negative 58 to 43.

The House then adjourned.

Evening Session.

The House resumed the consideration of the unfinished business, at the last adjournment. Mr. Holke moved to strike out the section binding the private property of stockholders absolutely and insert an amendment, which was decided in the affirmative 61 to 45. So the House agreed to strike out, and insert an amendment (originally proposed by Mr. Boyden) providing that if the effects of the Company should prove inadequate to discharge the loan incurred by the act, then each Stockholder to contribute towards making up the deficiency, in proportion to his or her interest in the Stock of the Company. The question now recurring on the passage of the bill, to its second reading it was decided in the negative, 54 to 52.

Friday, Jan. 4.

The vote of yesterday by which the bill for the relief of the Raleigh and Gaston Rail Road was rejected, was re-considered.

The question recurring on the passage of the bill, its second reading, it was decided in the affirmative 54 to 52. Messrs. Massey and Mangum from Wake, and Chambers of Person, who voted yesterday against the bill, now voting in its favor. It was then read the third time, and sent to the Senate for concurrence in an amendment made by this House.

Mr. W. A. Blount presented a bill to amend the Act of 1826, incorporating the Central Rail Road Company. (Authorizes the Board of Internal Improvement to subscribe for three-fifths of the Stock, when two-fifths have been subscribed by individuals.) Mr. Stallings moved for its indefinite postponement, which was negatived by one vote.

The bill from the Senate to amend the Act, incorporating the Fayetteville and Western Rail Road, was read the second time. A great many attempts were made to postpone, to amend, to lay on the table, but it finally passed by a vote of 66 to 41.

Evening Session.

The Resolution from the Senate, directing the Board of Internal Improvement to

pay over the balance of the State's subscription to the Wilmington and Raleigh Rail Road, was taken up, amended on motion of Mr. Richards, so as to make the individual Stockholders liable for the payment of the public amount of their subscription on or before the first of June next, and making it the duty of the Board of Internal Improvement, to expose to public sale the shares of all delinquents, and finally passed its third reading.—Yess 60, Nays 47.

Saturday, Jan. 5.

Mr. Paine introduced a Resolution, which was adopted, requesting our Senators and Representatives in Congress to use their exertions to procure from Congress an appropriation for opening an inlet at or near Nag's Head.

The Resolution from the Senate, in relation to the Letter of our Senators in Congress, touching the Instruction Resolutions, was taken up for consideration, and gave rise to an exciting and somewhat angry debate. It was finally adopted, 59 to 44, being a strict party vote on each side.

The Resolution from the Senate, touching the 4th Instalment to the Wilmington Rail Road, was adopted.

The greater part of the sitting was spent in discussing the School bill from the Senate, which was finally stricken out in toto, and a bill heretofore introduced by Dr. Hill was inserted as a substitute, which was variously amended by the motions of Messrs. Graham and Boyden, and finally passed by an overwhelming majority.

Mr. Myers and Dr. Fox.

To the Editors of the Register:

In the last North Carolina Standard an article is published, headed "MR. FOX—DIVISION OF MECKLENBURG AND ANSON," which I suppose is the production of the gentleman whose name heads the article. I feel myself called upon to expose inaccuracies of the gentleman, as it appears to be intended to justify himself before his constituents, at my expense. He is correct in saying that "Messrs. Winston, of Anson, and Caldwell, of Mecklenburg were selected to draw the Bill to establish the County of Union." The bill was introduced in the House of Commons, and passed that body and the first reading in the Senate, as stated by Mr. Fox. He then says "it was not yet discovered that it embraced no part of Anson. On the next morning early, Mr. Fox, from Mecklenburg, examined the bill, and for the first time discovered the error, on which he stated it to Mr. Myers, of Anson." Mr. Fox would be understood as discovering the error himself, which was not the fact. On the morning after the passage of the bill, the first time in the Senate, Mr. Fox called at my room and requested me to accompany him to the State House, for the purpose of trying to agree upon the amendment which he proposed offering on the second reading of the bill, which he had before stated to me would be to run the line directly from the Anson and Cabarrus corner, instead of running four miles up the Cabarrus line, as described in the Memorial.—We went to the Clerk's room to examine the papers.—The Clerk handed us the Bill, as the only paper then in his office on the subject. We were both reading the bill, and discovered the error at the same time; but Mr. Fox would have it believed, but for his superior sagacity, the bill would have passed the Senate as it had the House of Commons, without the omission being detected. He says, "the next day when the bill was called up by Mr. Fox, and put on its second reading, Mr. Myers moved to amend the bill by adding a part of Anson." The Journal of the Senate proves that the bill was called up for the second reading upon my motion, and not Mr. Fox's, and I stated at the time that I wished to offer an amendment, and after the memorial of the citizens of Anson and Mecklenburg had been read at my request, moved so to amend the bill as to include that part of Anson described in the memorial, which had been omitted in the bill; which amendment was adopted. Mr. Fox, of Mecklenburg, thereupon remarked, that the line designated in the memorial would pass within less than nine miles of the town of Charlotte, and proposed an amendment. While engaged in preparing his amendment, a motion was made for the indefinite postponement of the bill, an amendment, which did not prevail. Before the amendment was prepared, the House adjourned. The bill being called up next day, Mr. Fox, after considerable delay, matured his amendment as published in the article in the Standard, upon which some of the remarks there published were delivered by him.

I made the following reply to Mr. Fox: "MR. SPEAKER: I hope the amendment offered by the Senator from Mecklenburg will not be adopted. Although under no pledge before my election to endeavor to carry out the prayer of the Memorialists, I consider the respectable number of signatures to the memorial from the county of Anson, in the absence of any remonstrance against the measure, binding upon me as their representative, to endeavor to effect the object prayed for. I am not sufficiently acquainted in the county of Mecklenburg, to enable me to say how near the proposed line will approach the Town of Charlotte, and dislike to contradict the Senator from Mecklenburg; but Sir, I have been informed by a respectable gentleman residing in Mecklenburg, that the line proposed in the memorial will not pass nearer than fifteen miles of Charlotte. I am well aware, Mr.

Speaker, that the difference between the gentleman from Mecklenburg and myself, as to the boundaries of the county of Union, will be fatal to the Bill; but Sir, I cannot consent to his amendment, for I consider the proposed boundaries as described in the memorial, signed by more than four hundred persons, as my instructions. Although, I belong, Sir, to a party sarcastically called Federalists, yet I acknowledge the obligation of the representative to conform to the will of his constituents, and I am surprised that the gentleman from Mecklenburg, professing the principles he does, should oppose the line proposed in the memorial from his county, signed by more than five hundred of his constituents, without having it in his power to produce one solitary name to remonstrate against it."

I have no doubt Mr. Fox meditated the destruction of the Bill in his proposed amendment; as an evidence of which, in his remarks, he took occasion to observe the memorial described the line proposed to be run across the county of Mecklenburg as calling to run to Seymour Taylor's when no man of that name lived in the county of Mecklenburg, but one of that name lived over in South Carolina; when a Senator observed, he thought the Senate would do well to use some caution in establishing the county of Union, for according to the statement of the Senator from Mecklenburg, we might take part of the State of South Carolina, and run foul of Nullification.

Mr. Fox's amendment, after designating the starting point and the point at which the line shall strike the S. Carolina line, says, "Provided, that the said division line shall at no point approach the Town of Charlotte nearer than sixteen miles." I should like to know from the Senator, provided the line was found to run from end to the points designated in his amendment, nearer than sixteen miles miles of the Town of Charlotte, whether he would recommend a circular line, or various corners, so as to come within his proviso, or whether in that event it would be a line at all?

The bill was postponed indefinitely, I think, solely on account of the disagreement between the Senators from the counties of Anson and Mecklenburg.

A. MYERS.

January 6th, 1839.

Distinguished Stranger.—The only remaining descendant of the celebrated Florentine, Amerigo Vesputi, who gave his name to this continent, is now in this city. Her name is Signorina Maria Helena Amerigo Vesputi. She arrived here about two weeks ago, in a vessel from Rio Janeiro.—She left Florence last spring, passed through Paris, and has letters from Louis Philippe to his minister in this country. She is a young woman of great accomplishments, extraordinary talents, and peculiar personal beauty. She is the son at present, and will spend the winter in Washington.—N. Y. Herald.

Expensive Dresses.—Six cases of rich French dresses were imported at Quebec, in anticipation that they would be purchased by the ladies of Lord Durham's court, who are among the wealthiest and most beautiful of the English nobility. The tastes of these ladies however, did not call for such dresses, and they were carried to New York and sold. They were most beautiful stain and lums, wrought and gold cost from \$100 to \$200 a dress.

Cook, the owner of the dray which ran over Capt. Walker, of the Isabella, at New Orleans, broke his thigh, and otherwise injured him, was sentenced, on the 18th inst. by Judge Buchanan, to pay to the plaintiff twelve hundred dollars damages. A righteous judgment this truly, and one which, we hope, will have the effect of preventing furious driving.

A prudent young man.—A few days ago, a duel was to have come off with swords, at a small town in Louisiana. One of the parties on the night before the affray waited on a "keen old sworder," and made enquiries as to the surest way to avoid being touched by his antagonist's weapon.—The surest way is to keep out of its reach," said the veteran. The considerate young gentleman took the hint and eloped for Texas.

Cotton.—Letters from Mobile, state that the Union Bank of Mississippi had determined to advance sixty dollars a bale on cotton, giving the owner the advantage of all exchanges, &c.—N. Y. Jour. Com.

A young lady in Vermont has recently recovered no less than \$22,000 from a rich swain who had broken his promise to marry her.

Latest.—It is stated, in one of the papers, that the Government has determined to send out a Revenue Cutter after Mr. Price. A gentleman reading it, says that is entirely unnecessary, as Mr. Price is a Revenue cutter himself.

"Ned, what pranks are you cutting now?" said a master to a roguish cabin.—"None, sir, I've got no knife to cut 'em with" was the honest reply.

The way the matter is.—Gold is proved by fire—woman by gold—and man by woman. Fire purifies gold—gold corrupts woman—and woman corrupts man.

DEFAMATIONS.

The subject of Mr. Wm. W. Wise's Speech, delivered at New York, in the House of Representatives, and to which we have invited attention, is from the Washington Correspondent of the N. Y. Express. Mr. Wise attacked the subject with a master's hand. He is such a good hand in ferreting out abuses, no doubt some miserable tools of the Executive would be glad to see him any where else than in the House; and had their sufficient independence in that body to have given him, two years ago, an "unpacked committee," many of the delinquencies now coming to light might have been prevented.

Mr. Wise examined very minutely the particulars of most of the defamations which have been published. He made a thorough overhauling of all the prominent Defamations,—first in number,—giving names and dates and places and some of defilement,—the circumstances under which the Defamations were made,—the knowledge the Secretary of the Treasury had of these Defamations,—his excuses, if not countenances at them,—all the published facts, and many others in relation to them, were stated in a clear and lucid manner. Such a mass of corruption you have not before even dreamt of.

The last case he examined was that of Mr. Swartwout. Mr. Wise said it was not Mr. Swartwout's money he proposed to look after. That would be a useless task, and his sins were heavy enough upon him already without further exposure. He wished to look after the Secretary of the Treasury in connection with this great defalcation.

Mr. Swartwout left the country in August, and nothing is heard of his defalcation until November! The last return of Mr. Swartwout is dated March 28th, 1838, and the last public letter in April, to which an answer is given by the Secretary of the Treasury, dated April also! Nothing is heard of the Defalcation then from April to November, and the Secretary tells us that he even had no suspicion of a Defalcation until that time. What negligence!

Mr. Wise then stated another fact in reference to the claims set off by Mr. Swartwout when he left his office. Swartwout kept in his hands, as it appears when he left office, with a view of meeting the claims against him—the sum of \$301,000! as necessary to meet the demands against the Custom House. What, said Mr. Wise are the amount of these demands as put down in the new report of this account furnished by the Treasury Department! They were but the sum of \$7,700,—\$201,000 kept to meet the demand of less than \$8,000!—less than \$8,000, and so stated, as will appear upon examination. Will the Secretary of the Treasury explain this, if he can!

Other facts stated by Mr. Wise as gathered from the special report of the Secretary of the Treasury referring to this subject, were in reference to certain dates of letters. The Secretary of the Treasury, it appears, sent a letter on the 13th of April, 1838, demanding a settlement with Mr. Swartwout. Mr. Swartwout received the letter by due course of mail, and on the 16th of April,—three days after the date of the letter demanding a settlement, answered it, but did not meet the demand of the Secretary asking a settlement, not only not then but at no time up to August, the time of his sailing for Europe, making the demanded settlement made in April, and yet the Secretary of the Treasury tells us he heard nothing of and suspected nothing of the settlement, until sometime in November! Demanding a settlement,—receiving none—a settlement put off for months,—accounts unsettled,—the party requested to make the settlement off for Europe, and yet the Secretary of the Treasury never suspecting any thing was wrong until late in November. Who believes him innocent? said Mr. Wise.

Mr. Wise then proved that Fleming, Ogden and Phillips of the N. Y. Custom House knew of the defalcation long before it was proclaimed. Letters were then read by Fleming, an Auditor in the Custom House, showing in March, '37 a discrepancy of \$500,000 in accounts, which discrepancy was pointed out to Phillips and to Mr. Ogden, cashier and assistant cashier. Mr. Fleming stated also that it was discovered that the Treasury was minus in August, the sum of \$640,000! Mark the date, August, 1838, when Mr. Jesse Hoyt was in office,—and yet with these facts known and proclaimed in August, the Secretary of the Treasury says he had no knowledge of the defalcations—no suspicions even until sometime in November! Who believes him, I ask again? said Mr. Wise.

And now, said Mr. W., I charge Mr. Hoyt with having a knowledge of this defalcation. I charge him with being acquainted with the facts exposed by Fleming the Auditor in August, and communicated to Phillips—I charge him with knowing of the deficiency of \$640,000, and above all, I charge the Secretary of the Treasury with a gross neglect of duty, in not himself becoming acquainted with these facts if he did not know them.

Mr. Wise further commented upon Mr. Fleming's letter,—especially that part of it where he told Swartwout that upon examining the books they were minus \$640,000. When Fleming told Swartwout of

this defalcation, he said, "I have examined the books, and find them minus \$640,000." Fleming made the statement, and while it was making, Swartwout was in the room. Why did they not make the facts of which he says he was so ignorant known to the Treasury Department? Another fact stated by Mr. Wm. Wise was that from December, 1837, to March, 1838, Mr. Swartwout had sent no returns to the Secretary of the Treasury. Mr. Wm. Wise again inquired into these matters and commissions and alterations.

Another fact upon which Mr. Wm. Wise dwelt with much force, was the arrangement of the letters, furnished in the Report upon the Defalcation, sent by the Secretary of the Treasury. Letters, he said, were missing, and inserted without date, which was especially the case with an important memorandum. Let the Committee of Investigation remember these facts, said Mr. Wm. Wise, and inquire into these matters and commissions and alterations.

Mr. Wm. then spoke of the Naval officer of New York, and charged him with neglect of duty in relation to this Defalcation. The Defalcation, he thought, could not have taken place had the Naval officer done his duty, no more than it could have taken place if the Secretary of the Treasury had done his duty.

Mr. Wm. probed the Defalcation to the bottom, as far as he could do so,—going to the Cashier's and Assistant Cashier's Departments at New York, and to the Comptroller's and Auditor's Department of the Treasury here. The examination was searching and thorough. The consideration of the Documents connected with Swartwout's defalcation, alone occupied Mr. Wm. nearly two hours.

The peroration of the speaker was strong, effective and eloquent. He spoke in view of the facts he had exposed, of the Secretary of the Treasury, and charged him with being ignorant, incompetent, wicked and dangerous. "So help us God," said Mr. Wm., "if a majority of the House will help me to do its duty, I will have the Secretary of the Treasury impeached, as from his own report. He is a faithful public servant. Give me a jury of twelve honest men, and in any place in the country, without a single witness, in my trial or in yours, Mr. Speaker, I will convict him by his own testimony."

Mr. Wm. closed by saying in reference to himself, that the part he had acted in retelling out the wrongs of the Department had placed him in a novel position. "I self defend, he had been compelled to perform for three years past. He had been compelled, he regretted to state, to go and from the Capitol armed with pistols in his belt. His life had been literally in his hands ever since he had commenced his long, arduous, and almost thankless task of exposing the iniquities of the times."

NEW YORK, JANUARY 3.

The Legislature of New York assembled on Tuesday. The House chose for its Speaker Geo. W. Patterson. The vote stood—

For Patterson, (Whig.) . . . 80

For Armstrong, (Democrat.) 46

Two members were absent, but both (as we learn) were Whigs.

Governor Seward's message is a sensible and manly document. He says but little about politics and confines his suggestions to matters of State policy.

He treats the subject of internal improvement with liberal and enlarged views, and urges the Legislature to prompt action in developing the resources of the State.

He recommends the Legislature to call upon the General Government for the first instalment of the surplus revenue, and insists that the money already deposited with the States be directed of its character as loan.

At the close of the last fiscal year the whole indebtedness of the State, above the funds on hand, was \$6,728,667.

An unconditional repeal of the small bill law, which was suspended by the last Legislature for two years, is urged.

The general banking law is highly approved. Under it thirty-two associations have filed certificates, with an aggregate capital of \$3,883,175. Bills to the amount of \$1,314,900 have been issued by the Comptroller to thirteen institutions. The Governor says truly "a safer currency than this is unknown in the commercial world."—Correspondence of the Nat. Int.

Illinois.—How far this young and great State is implicated in the support of the sub-treasury scheme, may be decided from the fact that the following resolution was passed in the Lower House of the Legislature on the 13th December, by a vote of 76 yeas to 6 nays:

"Resolved, That it is inexpedient to allow the State revenue in gold and silver coin, to be provided for the sub-treasury and distributed to the officers collecting the same."

Awards of Candidates.—Mr. Robert Osborn, of Georgetown, D. C. has received within a few days past, the following without signature—

"Sir:—The enclosed one hundred dollars has been unjustly taken and withheld from you, and is now being returned to you, as it is the duty of the Government to do so. The Government has no right to withhold from you the money which is due to you."

Georgia Bank Note, 1000